

**RIVERS AND HARBORS ACT SECTION 10 DETERMINATION OF
JURISDICTION**

Project Name: Rey, Juan and Dian

Action ID: SAJ-2008-3493

Applicant: Juan and Diana Rey

There are "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

Waterbody: Unnamed, manmade canal

Waters have been determined to be navigable because:

- ☐ Navigation Study
- ☐ Judicial interpretation in a Federal court of law
- ☒ Waters subject to the ebb and flow of the tide
- ☒ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. **Explain:** Work is in/over an unnamed manmade canal, which is presently and historically used for private and commercial vessel traffic, and is tributary to Biscayne Bay.

Project Manager: Audrey Siu

Date: September 23, 2008